

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Nagai *et al.*  
App. No : 10/588,428  
Filed : August 4, 2006  
For : FUNCTIONAL BEVERAGE AND  
COMPOSITION  
Examiner : Melissa Jean Perreira  
Art Unit : 1618  
Conf No. : 9228

**SUBMISSION WITH RCE****Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action mailed **October 14, 2010**, please consider the following remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.